

**BEFORE THE ARIZONA STATE VETERINARY MEDICAL
EXAMINING BOARD**

IN THE MATTER OF:)	Case No.: 19-29
)	
JULIE YEAGER, DVM)	FINDINGS OF FACT,
Holder of License No. 4928)	CONCLUSIONS OF LAW
)	AND ORDER
For the practice of Veterinary)	
Medicine in the State of Arizona,)	
)	
Respondent.)	

On February 20, 2019 and March 20, 2019, the Arizona State Veterinary Medical Examining Board conducted an Informal Interview regarding Julie Yeager, DVM ("Respondent"). The proceedings in this matter are governed by A.R.S. § 32-2234 (A). Respondent was advised of her right to legal counsel by letter, appeared, and participated in the Informal Interview with counsel, David Stoll. The Board reviewed all documents submitted regarding this matter, took testimony from Respondent, and proceeded as is permitted by A.R.S. § 32-2234 (A).

Following the Informal Interview and the Board's discussion of the information and documents submitted, the Board determined that Respondent's conduct constituted unprofessional conduct pursuant A.R.S. § 32-2232 (12) as it relates to A.A.C. R3-11-501 (1) failure to provide professionally acceptable procedures. After considering all of the information and testimony, the Board issues the following Findings of Fact, Conclusions of Law and Order, ("Order").

FINDINGS OF FACT

1 1. Respondent is the holder of License No. 4928 issued on September 23,
2 2009, and is therefore authorized to practice the profession of veterinary
3 medicine in the State of Arizona.

4 2. On July 26, 2018, "Archi," a 4-year-old male African Gray parrot was
5 presented to Respondent for exam and possible leg band removal. The pet
6 owner reported that the bird had recently been chewing on his leg band;
7 Respondent felt the chewing could be behavioral vs discomfort or pain. Upon
8 exam, the bird had a weight = 502 gms, a heart rate = 220bpm and a
9 respiration rate 30rpm; BCS = heavy. The bird had some mild feather destruction
10 of coverts over most of chest, abdomen, and ventral wings. There was no
11 increase in respiratory rate or effort at this visit with restraint as in prior visit. The
12 bird also had mild pododermatitis of the left plantar foot – suspected due to
13 heavy body condition and abnormal weight bearing associated with missing
14 toes.

15 3. Respondent discussed the leg band with the pet owner – there was no
16 obvious physical abnormality or apparent source of pain; band could be
17 removed. Band removal would require anesthesia as any movement while the
18 band was being removed could cause harm. The pet owner asked about the
19 risks of leaving the band on and Respondent explained that it was possible for
20 the band to get hung up on toys, cages, etc and result in injury. Technical staff
21 member, Ms. Calen, went over the estimate for anesthesia and band removal –
22 the owner elected to proceed. Respondent also recommended complete
23 avian profile; the owner approved.

24 4. The bird was masked down with isoflurane and was maintained on the
25 lowest effective isoflurane level 1 – 2%, heart rate = 200 – 230bpm and a

1 respiration rate = 30rpm, with deep chest movements. Blood was collected for
2 testing.

3 5. After approximately 3 minutes, the bird abruptly stopped breathing;
4 anesthesia was turned off, oxygen continued, and there was no heart beat on
5 auscultation. Respondent intubated the bird and began positive pressure
6 ventilation and chest compressions – atropine and epinephrine was
7 administered via entotracheal tube. No response. Respondent started IV fluids
8 – warmed and slow.

9 6. Respondent spoke to the pet owner to relay what had transpired and
10 they were continuing CPR.

11 7. The endotracheal tube was replaced due to blockage, chest
12 compressions and PPV were continued, additional epinephrine and atropine
13 was administered IC, as well as a second bolus of fluids; still no response.
14 Respondent discussed the bird's condition with the pet owner and
15 recommended discontinuing CPR – owner agreed and the bird passed away.
16 A necropsy was recommended and approved.

17 8. Necropsy was performed and revealed:

- 18 1. *Myocarditis, heterophilic, multifocal, mild, heart; and*
19 2. *Atherosclerosis, multifocal, mild to moderate, aorta and*
20 *brachycephalic trunk.*

21 9. Histopathology second opinion revealed:

- 22 1. *Multiple organs: Variable congestion;*
23 2. *Heart: Mild to moderate atherosclerosis;*
24 3. *Adrenal gland: Mild vacuolar degeneration, interrenal cells; and*
25 4. *Heart: Mild multifocal heterophilic myocarditis.*

10. The pet owner stated in her complaint that Respondent did not provide
her with enough information about the risks associated with general anesthesia.

1 11. According to Respondent since the owner was already familiar with
2 anesthesia as the bird had previously undergone two anesthetic procedures, it
3 was her belief that the owner understood the risks and benefits of performing
4 the procedure.

5 CONCLUSIONS OF LAW

6
7 12. The Arizona State Veterinary Medical Examining Board has jurisdiction
8 over this matter pursuant to A.R.S. § 32-2201, et seq.

9 13. The conduct and circumstances described in the Findings of Fact above,
10 constitutes a violation of **A.R.S. § 32-2232 (12)** as it relates to **A.A.C. R3-11-501**
11 **(1)** failure to provide professionally acceptable procedures for not
12 documenting the risks of anesthesia and communicating those risks to the pet
13 owner; Respondent relied on another veterinarian's anesthetic consent from
14 the pet owner 2 years prior.

15 ORDER

16 Based upon the foregoing Findings of Fact and Conclusions of Law it is
17 **ORDERED** that Respondent's License, No. 4928 be placed on **PROBATION** for a
18 period of one (1) year, subject to the following terms and conditions that shall
19 be completed within the Probationary period. These requirements include four
20 (4) total hours of continuing education (CE) detailed below:

21 1. **IT IS ORDERED THAT** Respondent shall provide written proof satisfactory
22 to the Board that she has completed four (4) hours of continuing education
23 (CE); hours earned in compliance with this order shall not be used for licensure
24 renewal. Respondent shall satisfy these four (4) hours by attending CE in the
25 area of medical record keeping. Respondent shall submit written verification of
attendance to the Board for approval.

2. **All continuing education to be completed for this Order shall be pre-approved by the Board.** Respondent shall submit to the Board a written outline regarding how she plans to satisfy the requirements in paragraph 1 for its approval within sixty (60) days of the effective date of this Order. The outline shall include CE course details including, name, provider, date(s), hours of CE to be earned, and a brief course summary.

3. Respondent shall obey all federal, state and local laws/rules governing the practice of veterinary medicine in this state.

4. Respondent shall bear all costs of complying with this Order.

5. This Order is conclusive evidence of the matters described and may be considered by the Board in determining an appropriate sanction in the event a subsequent violation occurs. In the event Respondent violates any term of this Order, the Board may, after opportunity for Informal Interview or Formal Hearing, take any other appropriate disciplinary action authorized by law, including suspension or revocation of Respondent's license.

REHEARING/APPEAL RIGHTS

Respondent has the right to petition for a rehearing or review of this Order. Pursuant to A.R.S. § 32-2234 (H) and § 41-1092.09 the petition must be filed with the Board within thirty-five (35) days from the date of mailing if the Order was served via certified mail. Pursuant to A.A.C. R3-11-904 (C), the petition must set forth legally sufficient reasons for granting the rehearing or review. The filing of a petition for rehearing or review is required to preserve any rights of appeal to the Superior Court that the party may wish to pursue.

1 This Order shall be effective and in force upon the expiration of the above
2 time period for filing a motion for rehearing or review with the Board. However,
3 the timely filing of a motion for rehearing or review shall stay the enforcement
4 of the Board's Order, unless, pursuant to A.A.C. R3-11-904 (F), the Board has
5 expressly found good cause to believe that this Order shall be effectively
6 immediately upon the issuance and has so stated in this Order.

7
8 Dated this 20th day of March, 2019.

9 Arizona State Veterinary Medical Examining Board
10 Jim Loughead
11 Chairman

12
13 By: 
14 Victoria Whitmore, Executive Director

15
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17 Original of the foregoing filed this 20th day of March, 2019
18 with the:


19 Arizona State Veterinary
20 Medical Examining Board
21 1740 W. Adams St., Ste. 4600
22 Phoenix, Arizona 85007

23 Copy of the foregoing sent by certified, return receipt mail
24 this 20th day of March, 2019 to:

25 Julie Yeager, DVM
Address on file
Respondent

1 Copy of the foregoing sent by regular mail
2 this 20th day of March, 2019 to:

3 David Stoll, Esq.
4 Beaugureau, Hancock, Stoll and Schwartz, PC
5 302 E. Coronado Rd
6 Phoenix, Arizona 85004

7
8 By: 
9 Board Staff